

CLOSED,ACO,TransferredOutCase-DoNotDocket

**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:16-cv-01384-CBA-RER**

16-1548

Sorge v. National RailRoad Passenger Corporation et al
Assigned to: Chief Judge Carol Bagley Amon
Referred to: Magistrate Judge Ramon E. Reyes, Jr
Cause: 28:1348 Corporation organized under Federal Law as party

Date Filed: 03/21/2016
Date Terminated: 04/05/2016
Jury Demand: Plaintiff
Nature of Suit: 360 P.I.: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

Glenn Sorge

represented by **Marc Steven Albert**
Marc S. Albert, Esq.
32-72 Steinway Street
Astoria, NY 11103
347-472-5080
Fax: 718-777-0353
Email: malbert@msainjurylaw.com
ATTORNEY TO BE NOTICED

V.

Defendant

National RailRoad Passenger Corporation

represented by **Timothy Paul Malacrida**
Landman Corsi Ballaine & Ford P.C.
One Gateway Center
4th Floor
Newark, NJ 07102
973-623-2700
Fax: 973-623-4496
Email: tmalacrida@lcbf.com
ATTORNEY TO BE NOTICED

Defendant

Brian Bostian

represented by **Timothy Paul Malacrida**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/21/2016	<u>1</u>	COMPLAINT against Glenn Sorge filing fee \$ 400, receipt number 0207-8470063 Was the Disclosure Statement on Civil Cover Sheet completed -NO,, filed by Glenn Sorge. (Albert, Marc) (Entered: 03/21/2016)
03/21/2016	<u>2</u>	Proposed Summons.Civil Cover Sheet.. Re <u>1</u> Complaint by Glenn Sorge (Attachments: # <u>1</u> Proposed Summons) (Albert, Marc) (Entered: 03/21/2016)
03/22/2016		Case Assigned to Chief Judge Carol Bagley Amon and Magistrate Judge Ramon E. Reyes, Jr. Please download and review the Individual Practices of the assigned Judges, located on our website . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (Davis, Kimberly) (Entered: 03/22/2016)
03/22/2016	<u>3</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that if all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent. The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FonnsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (Davis, Kimberly) (Entered: 03/22/2016)
03/22/2016	<u>4</u>	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made, if any. (Davis, Kimberly) (Entered: 03/22/2016)
03/22/2016	<u>5</u>	Summons Issued as to Brian Bostian, National RailRoad Passenger Corporation. (Davis, Kimberly) (Entered: 03/22/2016)
03/25/2016	<u>6</u>	WAIVER OF SERVICE Returned Executed by Glenn Sorge. All Defendants. (Albert, Marc) (Entered: 03/25/2016)
03/25/2016	<u>7</u>	NOTICE of Appearance by Timothy Paul Malacrida on behalf of Brian Bostian, National RailRoad Passenger Corporation (aty to be noticed) (Malacrida, Timothy) (Entered: 03/25/2016)

03/30/2016	<u>8</u>	Corporate Disclosure Statement by Brian Bostian, National Railroad Passenger Corporation identifying Other Affiliate American Premier Underwriters, Inc., Other Affiliate Berkshire Hathaway, Other Affiliate American Financial Group, Inc., Other Affiliate Chicago Union Station Company, Other Affiliate Passenger Railroad Insurance Limited, Other Affiliate Penn Station Leasing, LLC, Other Affiliate Washington Terminal Company, Other Affiliate Burlington Northern and Santa Fe LLC, Other Affiliate Canadian Pacific Railway, Other Affiliate Canadian National Railway for National Railroad Passenger Corporation. (Malacrida, Timothy) (Entered: 03/30/2016)
04/05/2016	<u>9</u>	JPMDL Conditional Transfer Order CTO-5: Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. § 1407 to the Eastern District of Pennsylvania for the reasons stated in the order of October 13, 2015, and, with the consent of that court, assigned to the Honorable Legrome D Davis. This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Pennsylvania (Marziliano, August) (Entered: 04/05/2016)
04/05/2016	<u>10</u>	CERTIFIED COPY of JPMDL Conditional Transfer Order CTO-5: Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. § 1407 to the Eastern District of Pennsylvania for the reasons stated in the order of October 13, 2015, and, with the consent of that court, assigned to the Honorable Legrome D Davis (Marziliano, August) (Entered: 04/05/2016)
04/05/2016		Case transferred to District of Eastern District of Pennsylvania. Original file, certified copy of transfer order, and docket sheet sent. ALL FILINGS ARE TO BE MADE IN THE TRANSFER COURT, DO NOT DOCKET TO THIS CASE. (Marziliano, August) (Entered: 04/05/2016)

PACER Service Center			
Transaction Receipt			
04/05/2016 12:03:16			
PACER Login:	ud1652:4263085:0	Client Code:	
Description:	Docket Report	Search Criteria:	1:16-cv-01384-CBA-RER
Billable Pages:	3	Cost:	0.30

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: AMTRAK TRAIN DERAILMENT IN
PHILADELPHIA, PENNSYLVANIA, ON MAY 12,
2015

16-1548

MDL No. 2654

(SEE ATTACHED SCHEDULE)

FILED

APR - 5 2016

CONDITIONAL TRANSFER ORDER (CTO -5)

MICHAEL E. KUNZ, Clerk
By _____ Dep Clerk

On October 13, 2015, the Panel transferred 6 civil action(s) to the United States District Court for the Eastern District of Pennsylvania for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* F.Supp.3d (J.P.M.L. 2015). Since that time, 32 additional action(s) have been transferred to the Eastern District of Pennsylvania. With the consent of that court, all such actions have been assigned to the Honorable Legrome D Davis.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Pennsylvania and assigned to Judge Davis.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. § 1407 to the Eastern District of Pennsylvania for the reasons stated in the order of October 13, 2015, and, with the consent of that court, assigned to the Honorable Legrome D Davis.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Pennsylvania. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Apr 05, 2016

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

**IN RE: AMTRAK TRAIN DERAILMENT IN
PHILADELPHIA, PENNSYLVANIA, ON MAY 12,
2015**

MDL No. 2654

SCHEDULE CTO-5 – TAG-ALONG ACTIONS

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
NEW YORK EASTERN			
NYE	1	16-01384	Sorge v. National RailRoad Passenger Corporation et al

16-1548

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to an appropriate calendar.

ED-NY

Address of Plaintiff: _____

Address of Defendant: _____

Place of Accident, Incident or Transaction: _____

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐ No ☐

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☐

RELATED CASE, IF ANY:

Case Number: MDL 2654-TR Judge Davis Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☐
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☐
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☐
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☐

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases
(Please specify) _____

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☒ Other Personal Injury (Please specify) _____
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases

(Please specify)

4/5/16

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, _____, counsel of record do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- ☐ Relief other than monetary damages is sought.

DATE: _____

Attorney-at-Law

Attorney I.D.# _____

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 4/5/16

Eric Sobieski
Attorney at Law

Attorney I.D.# _____